

REMARKS

As a preliminary matter, the Examiner indicates that the Information Disclosure Statement filed July 25, 2006, fails to comply with 37 C.F.R. § 1.98(a)(2) based on the reasons set forth at the top of page 2 of the Office Action. Applicant's representatives have called the Examiner to determine exactly why the Examiner did not initial and acknowledge the references cited in the July 25th IDS, however Applicant's representatives have not heard from the Examiner yet. The undersigned respectfully requests that the Examiner contact the undersigned to discuss this matter.

Claims 1-9 are all the claims pending in the present application, new claim 9 having been added as indicated herein. Claims 1, 2 and 5 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Winter et al. (US Patent Application Publication No. 2005/0021172). Claims 3-4 and 6-8 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Winter. Claims 6-8 are also rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Winter in view of Conwell et al. (U.S. Patent Application Publication No. 2005/0221704).

§ 102(b) Rejections (Winter) - Claims 1, 2, and 5

Claims 1, 2, and 5 are rejected based on the reasons set forth on pages 2-3 of the present Office Action.

With respect to independent claim 1, Applicants submit that Winter does not disclose or suggest at least an RFID-incorporating bar code label comprising an RFID tag which is incorporated in an inside of a bar code sheet layer having a bar code on a front surface and an adhesive layer, wherein the RFID tag is interposed between two sheets constituting the bar code sheet layer, as recited in amended claim 1. That is, Winter does disclose media that has a face

sheet, an adhesive layer and a release liner, as shown in Fig. 1 of Winter. The media can have labels on the front of the face sheet. See Fig. 2A of Winter. Immediately below the face sheet in Winter is an adhesive layer 16. On the other hand, claim 1 recites that two sheets constitute a bar code sheet layer. The two sheets may be bonded together with the RFID sandwiched in between. Winter does not satisfy the claimed two-sheet configuration, therefore Applicants submit that Winter does not anticipate claim 1 as set forth in amended claim 1.

Further, Applicants submit that exemplary results of the present invention, as recited in claim 1, can be that an RFID can be installed on a tire or other object merely by sticking it thereon, since the RFID is incorporated in the barcode label in advance, and a certain distance between the RFID and the underlying member (rubber element or a steel product in the case of a tire) can be maintained.

Applicants submit that dependent claim 5 is patentable at least by virtue of its dependency from independent claim 1.

Claim 2 is canceled as indicated herein without prejudice or disclaimer.

§ 103(a) Rejections (Winter) - Claims 3-4 and 6-8

Applicants submit that independent claim 3 is patentable at least based on reasons similar to those set forth above with respect to claim 1. Applicants submit that dependent claims 4 and 6-8 are patentable at least by virtue of their respective dependencies.

§ 103(a) Rejections (Winter/Conwell) - Claims 6-8

Applicants submit that dependent claims 6-8 are patentable at least by virtue of their respective dependencies from independent claim 1. Conwell does not make up for the deficiencies of Winter.

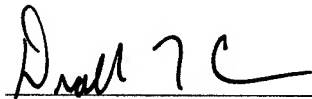
New Claim

Applicants add new claim 9 to provide a varying scope of coverage. Applicants submit that this new claim is patentable at least based on reasons similar to those set forth above with respect to claim 1.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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23373

CUSTOMER NUMBER

Date: February 4, 2008